

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The claims are 3, 4, 9-16, 18, 23 and 26. Independent claim 23 has been amended to incorporate the subject matter of allowable dependent claim 2. Claim 2 has been canceled without prejudice and dependent claim 3 has been amended to depend from claim 23.

New independent claim 26 has been added and incorporates the subject matter of allowable claim 20, which claim has been canceled without prejudice.

Independent claims 24 and 25 have been canceled without prejudice. Dependent claim 12 has been amended to recite "the control hole" as suggested by the Examiner. Claims 4, 9, 10, 11, 13, 14, 15, 16 and 18 are as previously presented.

No new matter has been introduced.

The specification was objected to as failing to provide antecedent basis for the separator piston protruding into a

pressure chamber. The Examiner suggested that the phrase "pressure chamber" in allowable claim 20 be replaced with the phrase "pressurization space" as used in the specification.

Claim 20 has been canceled without prejudice, thereby obviating the objection. Moreover, new independent claim 26 which incorporates the subject matter of claim 20 recites "*said separator piston protruding into a pressurization space*".

In view of the foregoing, it is believed that the objection to the specification is overcome and Applicant respectfully requests that the objection on this basis be withdrawn.

Claim 12 was objected to for an informality. In response to the objection, Applicant has amended claim 12 to recite "the control hole" as suggested by the Examiner.

In view of the foregoing, it is believed that the objection to claim 12 is overcome and Applicant respectfully requests that the objection on this basis be withdrawn.

Claims 9-16, 18 and 23-25 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,440,099 to Haar et al.

Applicant acknowledges with appreciation the Examiner's indication at page 5 of the July 2, 2009 Office Action that claims 2-4 and 20 would be allowable if rewritten in independent form to include all of the limitations of the base claims and any intervening claims.

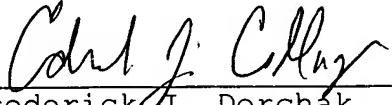
Without conceding the propriety of the rejections, and in order to expedite prosecution of this application, Applicant has amended independent claim 23 to incorporate the subject matter of allowable claim 2 and added new independent claim 26 which incorporates the subject matter of allowable claim 20. Claims 2 and 20 have been canceled without prejudice and claim 3 has been amended to depend from claim 23.

In view of the foregoing, Applicant respectfully submits that independent claim 23 (and claims 3, 4, 9-16 and 18 which depend directly or ultimately therefrom) and independent claim 26 are now in condition for allowance.

In summary, claims 3, 12 and 23 have been amended, new claim 26 has been added and claims 2, 20, 24 and 25 have been canceled without prejudice.

In view of the foregoing, it is believed that the pending claims, which are claims 3, 4, 9-16, 18, 23 and 26, are in condition for allowance. The prompt issuance of a Notice of Allowance is respectfully requested.

Respectfully submitted,
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